

Re: FERPA Requests

Michele Koch

Sat 5/20/2023 12:20 AM

To: Suzanne Brennaman <sbrennaman@phr3.org>

Cc: tross@phr3boe.com <tross@phr3boe.com>; Deenia Hocker <dhocker@phr3boe.com>; lredwine@phr3boe.com <lredwine@phr3boe.com>; lvescovi@phr3boe.com <lvescovi@phr3boe.com>; dadamczyk@phr3boe.com <dadamczyk@phr3boe.com>; sgeorge@phr3boe.com <sgeorge@phr3boe.com>; twilson@phr3boe.com <twilson@phr3boe.com>

 2 attachments (4 MB)

Summary.pdf; FERPA_Request_Summary_Explanations.pdf;

FERPA requires that an educational agency or institution respond to reasonable requests for explanations and interpretations of education records. 34 CFR § 99.10(c) states "The educational agency or institution, or SEA or its component shall respond to reasonable requests for explanations and interpretations of the records."

Your explanation for not answering my 33 reasonable questions does not apply to my FERPA request, is not supported by the statute you quoted, and is unacceptable. The statute you quoted falls under IDEA and applies to participation in IEP meetings.

School board, it is your duty to hold District Administrators responsible for failing to adhere to board policies and the law.

Attached are the questions Compliance Officer Suzanne Brennaman refuses to answer and the education record your attorney was paid thousands of public-school dollars to fabricate.

If you haven't done anything wrong, why won't the Compliance Officer answer my questions?

Your chosen legal counsel, who most likely wrote Suzanne Brennaman's response, is causing you additional legal liabilities for the sole purpose of protecting themselves. I pray for all of the parents and students in the District that you will start to make better choices.

If your attorney responds to one more of my emails posing as a school administrator, I will report your abuse of public-school funds to the Missouri Ethics Commission.

A FERPA complaint will be filed after the 45th day from when my requests were originally made.

Regards,
Michele Koch

From: Suzanne Brennaman <sbrennaman@phr3.org>

Sent: Friday, May 19, 2023 3:58 PM

To: Michele Koch <kochmichele@live.com>

Subject: FERPA Requests

Ms. Koch,

We have received your four (4) FERPA requests dated April 7, 2023, as well as a fifth (5th) request received April 11, 2023. This letter serves as the District's response to those requests. These responses are being provided based on the District's obligations under FERPA.

Request One (1), Three (3) and Four (4):

FERPA requires school districts to allow parents to inspect and review any records that are directly related to their student and maintained by the district. 34 CFR § 99.2 Courts have found that when a request requires the district to conduct a system wide database search for a word or name, such as what is being asked of the District here, the emails are inherently not maintained as an educational record relating to a student. As such, this request is outside the District's obligations, as outlined under FERPA.

Request Two (2):

Your second request contains thirty-three (33) separate questions regarding a summary document of your student's medical and educational records that was read aloud at the 504 Meeting you attended on February 19, 2021. During that meeting, Dr. Lauren Goddard stated that the document was an overview and synopsis of where R [REDACTED] was currently functioning and was just a starting point for the meeting. Following that meeting, a copy of the summary was emailed to you. At that time, Ms. Kayla Taylor stated, "Please take note that this timeline is not comprehensive and was intended for the purposes of the 504 meeting as a general overview."

FERPA requires that school district's answer parents' "reasonable requests for explanation and interpretation" regarding their student's records. 34 C.F.R. § 300.613(b). Courts have interpreted a reasonable request as a request that allows the parents to meaningfully participate in meetings regarding their student's education. As you have been able to meaningfully participate in multiple meetings regarding Reece's education, the District recognizes that you have a reasonable understanding of the document at least so much as necessary to participate in discussions regarding your student's education. As such, the requests for interpretation contained in your Request Two are also outside the District's obligations, as outlined under FERPA.

Request Five (5):

This request is not for an educational record of your student.

Thank you,

Suzanne Brennaman, Ed.D. | Assistant Superintendent|

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